

Remarks/Arguments

Claim 1 is amended to recite the operation of the claimed receiver or video device as receiving video data for a specific program or movie with related audio data for a given language. If a user decides to receive audio or subtitles that are different than the given language, the receiver or video device transmits automatically this selection to a server to request audio or subtitles corresponding to the selected language. Support for this automatic operation is supported in the specification on page 7, lines 21-28, and in other places in the specification.

Claim 9 is amended in a similar manner as Claim 1 as to claim an automatic operation of notifying a server about the language selection of a user. Support for this amendment is supported in the specification on page 7, lines 21-28, and in other places.

The drawings are amended as to supply typed description for Fig. 1, as requested by the Examiner.

No new matter is added in view of these amendments.

35 U.S.C. §103(a) Rejection of Claims 1-6 and 8-11

The Examiner rejected Claims 1-6 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over Walker et al. (U.S. Patent # 6,209,028, hereafter referred to as 'Walker'). Applicants disagree with this ground of rejection.

Amended Claim 1 claims that a received broadcast signal includes first identification information that identifies video data of a specific program or movie. The invention then provides second identification information that corresponds to a preferred language of a user that is different than the given language the specific program or movie. A set of third identification information (derived from the first and second identification information) is automatically transmitted to a server to receive the preferred language of a user. None of these claimed elements are disclosed or suggested in Walker.

In contrast, the operation of Walker is not done in an automatic fashion as claimed in Claim 1. Specifically, a user during a broadcast or a program or movie, must call a special phone number to operate a IVRU 12 via voice command user prompts in order to request and then receive supplemental audio information (Walker, col. 6, lines 21-26). Walker also provides an alternative embodiment where a user uses an interface over the Internet to request supplemental audio

information during the broadcast of a program (Walker, col. 8, line 62 to col. 9, line 5).

Walker provides such audio services during the broadcast of a program where a user specifically makes requests for additional information about the program being currently televised (Walker, col. 3, line 65 to col. 4, line 39). The invention of Claim 1 operates differently than Walker by requesting and receiving audio of a preferred language different than the given language of a program/movie automatically, without having a user call a special phone number or use an interface over the Internet to initiate such a change, as disclosed in Walker.

For the reasons given above, Applicants assert Claim 1 is patentable. Applicants request the removal of the rejection to this claim. In addition, independent Claims 9 and 11 are patentable for the same reasons given above as for Claim 1. Dependent Claims 2-6 with Claim 8, and Claim 10 are patentable, as such claims depend on Claims 1 and 9, respectively. Applicants request the removal of the rejection to these claims, as well.

35 U.S.C. §103(a) Rejection of Claim 7

The Examiner rejected Claim 7 under 35 U.S.C. §103(a) as being unpatentable over Walker and in further view of Billmaier et al. (U.S. Patent # 6,710,815, hereafter referred to as 'Billmaier'). Applicants note that the present application claims priority from a European Patent Application 00250152.6 filed on May 18, 2000. The priority date of the present application is before the priority date of Billmaier that was filed on February 7, 2001 that as a CIP claims priority from an earlier application filed on January 23, 2001. Hence, Applicants believe that the present rejection is improper because the priority date of the present application is before the priority date of the Billmaier reference.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

A fee for a one-month extension, as indicated on the fee sheet included with this action, is owed. Please charge the fee and any additional owed fees to Deposit Account 07-0832.

Respectfully submitted,

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